## Message Text

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INFO OCT-01 EUR-12 IO-13 ISO-00 FEA-01 AGRE-00 CEA-01 CIAE-00 COME-00 DODE-00 FRB-01 H-02 INR-07 INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-02 AID-05 SS-15 STR-04 ITC-01 TRSE-00 USIA-15 PRS-01 SP-02 OMB-01 /109 W

-----150543Z 079357 /10

R 142213Z APR 77 FM AMEMBASSY OTTAWA TO SECSTATE WASHDC 3147 INFO USMISSION GENEVA USDEL MTN GENEVA

UNCLAS OTTAWA 02707

E.O. 11652:N/A
TAGS: ETRD, CA
SUBJECT: NEW CANADIAN COUNTERVAILING DUTY REGULATIONS

REF: OTTAWA A-120, APRIL 4

1. FINANCE MINISTER MACDONALD AND NATIONAL REVENUE MINISTER BEGIN ANNOUNCED ON APRIL 6 PROMULGATION OF COUNTERVAILING DUTY REGULATIONS BY GOVERNOR IN COUNCIL. REGULATIONS ESTABLISH PROCEDURES WHEREBY CANADIAN INDUSTRIES THAT ARE BEING MATERIALLY INJURED OR THREATENED BY SUBSIDIZED IMPORTS CAN SEEK ADDITIONAL PROTECTION OF COUNTERVAILING DUTIES. WHILE PROVISIONS FOR ASSESSING COUNTERVAILING DUTIES WERE ALREADY AUTHORIZED BY SECTION 7 OF CANADIAN CUSTOMS TARIFF, IMPLEMENTING REGULATIONS HAD NEVER BEEN FORMALIZED. MINISTERS URGED CANADIAN MANUFACTURERS TO TAKE ADVANTAGE OF THESE PROCEDURES IF THEY FEEL THEY ARE BEING THREATENED BY SUBSIDIZED IMPORTS RATHER THAN SEEK OTHER SPECIAL MEASURES OF PROTECTION SUCH AS QUOTAS OR HIGHER TARIFFS.

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2. MINISTERIAL ANNOUNCEMENT MENTIONED WHOLE QUESTION OF SUBSIDIES AND COUNTERVAILING DUTIES CURRENTLY IS RECEIVING SERIOUS CONSIDERATION AT GATT MTN, AND NEW COUNTERVAILING DUTY REGULATIONS CONFORM FULLY WITH EXISTING CANADIAN LAW AND CANADA'S CURRENT GATT OBLIGATIONS. ALSO EMPHASIZED NEW REGULATIONS IN NO WAY PREJUDGE POSITION WHICH CANADA MAY ADOPT IN MTN

AND IT IS RECOGNIZED DEVELOPMENTS IN MTN MAY SUBSEQUENTLY MAKE IT APPROPRIATE TO CHANGE CANADA'S COUNTERVAILING DUTY PROVISIONS.

- 3. MINISTERIAL ANNOUNCEMENT AND NEW COUNTERVAILING DUTY REGULATIONS BEING POUCHED DEPARTMENT EB/OT/TA (WESTON) AND USDEL MTN GENEVA.
- 4. COMMENT: NEW COUNTERVAILING DUTY REGULATIONS FOLLOW BY ONE WEEK NEW ANTI-DUMPING PROCEDURES, BOTH MEASURES DESIGNED IN SO FAR AS POSSIBLE TO PROVIDE RELIEF TO MANUFACTURERS BUT YET AVOID QUOTAS AND HIGHER TARIFFS. DUEMLING

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